



# STATE BAR COURT OF CALIFORNIA

1149 SOUTH HILL STREET, 5TH FLOOR, LOS ANGELES, CALIFORNIA 90015-2299  
180 HOWARD STREET, 6th FLOOR, SAN FRANCISCO, CALIFORNIA 94105-1639

(213) 765-1400  
(415) 538-2050

**-DRAFT-**

## **PETITION FOR REINSTATEMENT AFTER DISBARMENT OR RESIGNATION**

### **Instructions and Requirements**

- A. The petition must be typed or printed clearly and accompanied by a \$900.00 filing fee as set by the Board of Governors of The State Bar of California.
- B. Complete the petition by placing an “x” in all appropriate boxes and by providing all requested data, properly marking all supplemental materials as indicated. For additional space required to fully respond to a question, please mark each addendum clearly, citing the section, subsection, and paragraph, if any (*e.g.*, Addendum 3.e.iv.(c)). Begin numbering the addenda with page 7 and number all pages consecutively.
- C. **Mandatory Attachments.** The following must be attached to the petition:
  - i. Petitioner’s federal income tax returns for each of the three years immediately preceding the year in which the petition is filed and for which a return was due.
  - ii. A completed Authorization for Release allowing the Internal Revenue Service to release federal income tax returns to the State Bar. This form is provided and should be completed to permit release of the tax returns for each of the three years immediately preceding the year in which the petition is filed.
  - iii. No petition will be filed without a statement establishing rehabilitation, moral character qualifications and demonstrating present ability and learning in the general law. (See page 6.)
- D. File the original and three copies of the petition in the Los Angeles or San Francisco venue of the State Bar Court, as appropriate, pursuant to rule 52, Rules of Procedure of the State Bar of California.
- E. To request fingerprint cards, contact the State Bar Court in Los Angeles at (213) 765-1400 or San Francisco at (415) 538-2050.
- F. No petition will be filed without petitioner’s original signature attesting, under penalty of perjury, to the veracity of its contents and that of all attachments.
- G. **Petitioner must continue to update the information contained in the petition whenever changes to that information occur and shall provide such updates promptly to both the State Bar Court and the Office of Chief Trial Counsel.**

Enclosures: Petition for Reinstatement  
California Rules of Court, rule 951(f)  
Rules of Procedure of the State Bar of California, rules 660 through 666

**State Bar Court**  
**Hearing Department**    ☐    **Los Angeles**    ☐    **San Francisco**

Petitioner	(for Court use only)
Counsel for Petitioner	Case Number (to be assigned by State Bar Court)
In the Matter of  Petitioner For Reinstatement.  Former Bar Number: _____	<b>--DRAFT-- PETITION FOR REINSTATEMENT          AFTER DISBARMENT OR RESIGNATION</b> (Rule 951(f), California Rules of Court; Rules 660 - 666, Rules of Procedure of the State Bar of California)
<p><b><u>NOTE</u></b></p> <p><b>PETITIONER MUST CONTINUE TO UPDATE THE INFORMATION CONTAINED IN THE PETITION WHENEVER CHANGES TO THE INFORMATION OCCUR AND SHALL PROVIDE SUCH UPDATES PROMPTLY TO BOTH THE STATE BAR COURT AND TO THE OFFICE OF CHIEF TRIAL COUNSEL.</b></p>	
All information which cannot be set forth in the space provided shall be included in attachments on consecutively numbered pages, commencing with page 7, that reference the section of the petition being addressed.	
Total number of pages, including all attachments: _____	

I, \_\_\_\_\_, the above-named petitioner, having read the California Rules of Court, rule 951(f), and rules 660 through 666 of the Rules of Procedure of the State Bar of California, do hereby petition for reinstatement as a member of the State Bar of California based on the following grounds:

**I. ELIGIBILITY TO APPLY FOR REINSTATEMENT (check all that apply)**

- a.    ☐    Petitioner was disbarred, effective date: \_\_\_\_\_.
- ☐    Petitioner resigned without disciplinary charges pending, effective date: \_\_\_\_\_.
- ☐    Petitioner resigned with disciplinary charges pending, effective date: \_\_\_\_\_.
  
- b.    ☐    Petitioner was interimly suspended or enrolled inactive immediately preceding disbarment or resignation, effective date: \_\_\_\_\_.

- c. ☐ Petitioner filed prior petition(s) for reinstatement pursuant to rule 662 of the Rules of Procedure, as listed below. ☐ **Check here if none.**

Date Prior Petition Filed

Case Number

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- d. ☐ Petitioner has attached to this petition any decision or Order of the Supreme Court or the State Bar Court that petitioner relies upon in submitting this petition for reinstatement earlier than permitted by rule 662 of the Rules of Procedure.

## 2. PREVIOUS DISBARMENT OR RESIGNATION

### a. Disbarment

- i. List the case number(s) of the case in which disbarment was ordered.
- ii. List the case number(s) of the matters pending in State Bar Court on the date the disbarment order was filed.
- iii. List the case number(s) of any matters not yet filed with State Bar Court of which petitioner is aware were pending on the date that the disbarment order was filed.

### b. Resignation

- i. List the case number(s) of the matters pending in State Bar Court on the date the resignation was tendered.
- ii. List the case number(s) of any matters not yet filed with State Bar Court of which petitioner is aware were pending on the date that the resignation was tendered.

### c. Criminal Charges

Were criminal charges pending at the time of disbarment or resignation that were not the subject of a State Bar Court disciplinary proceeding?

- ☐ Yes  
☐ No

If yes, provide the following information:

- i. the statute(s) under which petitioner was convicted. Attach copies of the information, indictment or complaint; judgment of conviction; sentencing transcript; any probation report; and any opinions and orders of appellate or reviewing courts;
- ii. a full and accurate description of the misconduct on which the conviction was based;
- iii. the date of conviction;
- iv. the name(s), address(es) and telephone number(s) of the prosecuting attorney(s);
- v. the name and address of the trial court and the case number(s);
- vi. the date(s) of any hearing(s) regarding alleged violation(s) of probation; and
- vii. the date of appeal, if any, the case number(s) and the name and address of the appellate court.

## 3. PETITIONER'S GENERAL INFORMATION

- a. Date of Birth: \_\_\_\_\_.
- b. Marital Status: \_\_\_\_\_.

- c. ☐ Petitioner has no dependents or minor children.  
☐ List the following information for all dependents and minor children:
- i. name;
  - ii. date of birth;
  - iii. current address; and
  - iv. relationship.
- d. Commencing with the most recent, list each residence occupied since the date of disbarment or resignation including the complete address and dates of such residence. If applicable, list the lessor's name, address and telephone number.
- e. Has petitioner ever been admitted to the practice of law in any jurisdiction other than California?
- ☐ Yes  
☐ No

If yes, provide the following information:

- i. the jurisdiction(s);
- ii. the date(s) of admission;
- iii. the name, address and telephone number of the licensing authority; and
- iii. whether any discipline has ever been recommended or ordered. For each such order or recommendation, set forth:
  - (a) the name, address and telephone number of the licensing authority;
  - (b) the date of the order or recommendation;
  - (c) a full and accurate description of the conduct upon which the discipline recommendation or order was based;
  - (d) the nature and extent of the discipline recommended or ordered; and
  - (e) attach a copy of the order or decision recommending or ordering discipline.

#### **4. FINANCIAL OBLIGATIONS**

a. Restitution

List the following information regarding restitution ordered or recommended by any court, including the State Bar Court:

- i. the case title(s) and number(s);
- ii. the name(s) and address(es) of the court(s);
- iii. the date of the decision, order, judgment or recommendation;
- iv. the reason(s) restitution was ordered or recommended; and
- v. whether restitution has been completed in whole or in part. If so, for each such order, set forth:
  - (a) the amount paid and balance remaining, if any;
  - (b) the date restitution was completed or is expected to be completed; and,
  - (c) attach proof of restitution.

b. Financial Obligations

List the following information regarding debts and financial obligations petitioner owes as of the date of this petition including, but not limited to, loans, child and spousal support obligations:

- i. amount of obligation;
- ii. date incurred;
- iii. name, address and telephone number of creditor;
- iv. account number; and
- v. balance remaining.

## 5. ACTIVITIES SINCE DISBARMENT OR RESIGNATION

### a. Employment History

List the following information for all employment, self-employment or, if unemployed, activities from the time of disbarment or resignation to the present, commencing with the present:

- i. employer's name, address and telephone number;
- ii. position held;
- iii. dates of employment;
- iv. beginning and ending salaries;
- v. name, address and telephone number of supervisor;
- vi. duties; and
- vii. reason(s) for leaving.

### b. Other income

Did petitioner have any nonemployment sources of income since disbarment or resignation?

- ☐ Yes  
☐ No

If yes, set forth the following for each nonemployment source of income:

- i. the source;
- ii. the amount of such income: and
- iii. the date received.

### c. Civil Cases or Bankruptcy

Was petitioner a party to or did petitioner claim interest in any civil case(s) or bankruptcy proceeding(s) since disbarment or resignation? These proceedings include but are not limited to small claims, dissolution, divorce, nullity of marriage and motions for spousal or child support.

- ☐ Yes  
☐ No

If yes, list the following information for each proceeding:

- i. case title and number;
- ii. name and address of court or administrative agency;
- iii. date filed;
- iv. nature of case and petitioner's procedural posture;
- v. current status or disposition; and
- vi. opposing parties' and/or counsel's name(s), address(es) and telephone number(s).

d. Criminal Charges Subsequent to Disbarment or Resignation

Has petitioner been arrested, charged or convicted of any criminal charges subsequent to disbarment or resignation?

- ☐ Yes  
☐ No

If yes, list the following information for each such charge: <sup>1</sup>

- i. charge;
- ii. arresting agency;
- iii. date of arrest;
- iv. a full and accurate description of the conduct on which the arrest, charge and/or conviction was based;
- v. name and address of trial court;
- vi. case number;
- vii. name(s), address(es) and telephone number(s) of the prosecuting attorneys;
- viii. disposition;
- ix. date of disposition; and
- x. date of appeal, if any, the case number(s) and the name and address of the appellate court.

e. Business, Trade or Professional Licenses

Subsequent to disbarment or resignation, did petitioner apply for any license requiring affirmation of good character for its procurement?

- ☐ Yes  
☐ No

If yes, list the following information for each such application:

- i. name, address and telephone number of licensing authority;
- ii. date of application;
- iii. disposition and date thereof; and
- iv. reason(s) for dispositions.

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<sup>1</sup> Exclude information regarding:

- i. Traffic violations not related to the use of alcohol or drugs, not connected with an accident and not resulting in any penalty other than a fine or forfeiture of bail not exceeding \$300.00; or,
- ii. Any arrest, charge, conviction or other proceeding the record of which has been ordered or is required to be sealed, obliterated or destroyed in relevant part, pursuant to Penal Code sections 851.7, 1203.45, 1000 to 1000.11, 1001.11, or 1001.20 to 1001.35 or Health and Safety Code section 11361.5 or pursuant to a similar statute of another jurisdiction which provides in substance and effect that, upon entry of such an order, such arrest, charge, conviction or that the person to whom the proceeding relates, in answering any question relating thereto, may state that it did not occur. **NOTE: Petitioner must disclose matters dismissed pursuant to Penal Code section 1203.4. (See Penal Code, §1203.4, subd.(a).)**

f. Charges of Fraud

Were there any charges of fraud made against petitioner subsequent to disbarment or resignation?

- ☐ Yes  
☐ No

If yes, list the following information for each charge:

- i. date of charge;
- ii. a full and accurate description of the conduct on which the charge was based;
- iii. name(s), address(es) and telephone number(s) of all parties and their counsel, if any; and
- iv. if litigated, set forth:
  - (a) case title and number;
  - (b) name and address of court or agency;
  - (c) date filed; and
  - (d) current status or disposition.

**6. STATEMENT ESTABLISHING REHABILITATION, MORAL CHARACTER QUALIFICATIONS AND DEMONSTRATING PRESENT ABILITY AND LEARNING IN THE GENERAL LAW**

Attach a statement that establishes that petitioner is rehabilitated, possesses sufficient moral character qualifications for reinstatement and demonstrates present ability and learning in the general law to justify reinstatement. To satisfy the "learning" requirement, include for each activity undertaken since disbarment or resignation:

- i. the name of the activity and the sponsoring organization, if any;
- ii. the date and duration of the activity; and
- ii. attach proof of attendance and completion, including a final grade, if given.

**7. VERIFICATION**

**VERIFICATION**

I, \_\_\_\_\_, Petitioner, declare under penalty of perjury that the

foregoing, including all attachments and/or addenda, is true and correct and that this declaration

is executed at \_\_\_\_\_, \_\_\_\_\_ on \_\_\_\_\_.  
(city) (state) (date)

\_\_\_\_\_  
Petitioner (print or type name)

\_\_\_\_\_  
Petitioner's Counsel (print or type name)

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Petitioner's Counsel